



**Statement to the New York State Legislature
Concerning the Executive Budget for the Environment
Feb 13, 2023**

To Senator Krueger, Assemblywoman Weinstein and all Members of the Joint Senate Finance and Assembly Ways and Means Committee Public Hearing

Re. Executive Budget for the Environment for FY 2023-24

2022 Environmental Bond Act: Adirondack Wild applauds passage of the \$4.2 billion Clean Water, Air and Green Jobs Environmental Bond Act needed to accomplish the Climate Avoidance, Mitigation and Adaptation strategies created by the legislature in 2019, to clean up and restore our streams, rivers and watersheds, and to respond to environmental protection and open space opportunities across the state over the next five years, including in the Adirondack and Catskill Parks.

Environmental Protection Fund: Governor Hochul has again proposed a \$400 million EPF. If approved, the EPF will advance work to protect our environment and improve quality of life in every county of New York State. However, we ask the State Legislature to modify the Governor's proposal in the following ways:

- Eliminate the Executive's proposal to offload any DEC staff positions and costs onto the EPF. The EPF does not begin to meet all the state's environmental needs as it is, without having to pay for staff salaries and costs. For 30 years, the EPF's legislated authorization and appropriations have strictly avoided off-loading of staff salaries and related costs onto this vulnerable environmental revenue stream. This is not the year to start doing so.
- Forest Preserve: The Executive's EPF entirely eliminates funding for the Adirondack and Catskill visitor safety & wilderness protection program and DEC's Visitor Use Management framework for adaptive management of visitor use in the popular Adirondack and Catskill Forest Preserve. Eliminating these funding streams comes just as these programs to provide enhanced data collection, adaptive management and stewardship of our public wilderness trails and waterways are getting underway thanks to last year's EPF appropriation of \$8 million and \$600,000 respectively. Recreational pressures on the Forest Preserve

continue this year, and that means stewardship funding and follow through are imperative. *We ask the legislature to add back at least \$4 million to the Adirondack and Catskill Visitor Safety and Wilderness Protection line and at least \$300,000 to the Visitor Use Management framework.*

- Visitor Centers: The 3 Adirondack and Catskill Visitor Interpretive Centers, in Newcomb, Paul Smith's and Mount Tremper, are privately funded and operated but, over the past seven years, provide highly significant Park public information, education and guidance through exhibits and personal service. Given their public value to the Parks and Adirondack and Catskill Forest Preserve, they are vastly underfunded in the state budget. *We ask the legislature to add just \$175,000 to the EPF, sufficient to bring each of these 3 VICs to \$250,000 of public support.*

- Lakes: For fifty years, the Adirondack State Land Master Plan has required DEC to study Adirondack lakes surrounded by the public's Forest Preserve to determine their ability to withstand public use from social, physical, and biological standpoints. That lake study has never been undertaken. *We ask the state legislature to clarify in the Environmental Conservation Law that, analogous to forests in the Adirondack Forest Preserve forests, lakes must similarly be classified, become systematically subject to unit management plans, and thereby evaluated, just as forestland resources are, as to their carrying capacity, or ability to withstand a variety of human uses and abuses.*
Also, a three-year study of 400 lakes in the Adirondacks, to study carbon and greenhouse gas sequestration and climate impacts is underway thanks to a \$500,000 down payment the legislature approved in last year's budget, *but more funding is needed this year to continue this \$6 million project.*

- Open Space: DEC requires the ability to negotiate in fee and in conservation easement the protection of all or portions of the historic **Whitney Industry holdings**, 36,000 acres in Long Lake including incomparable interconnected lakes, streams, and forested wetlands, all of which were put up for sale in summer 2020. Whitney Industries is on the original High Priority list of the statewide Open Space Conservation Plan. The lasting protection and regrowth of forests from former logging at Whitney Park would significantly contribute to achieving the Climate and Community Protection Act's goals and objectives for forest carbon sequestration and storage. Bond Act funds will roll out slowly over the coming year. *Therefore, we ask that the legislature and Governor add an additional \$3 million to the EPF Open Space Account to reach a total of \$40 million* so that DEC can negotiate protection of all or significant portions of the Whitney tract from a willing seller and simultaneously respond to other high priority open space conservation projects.

DEC Forest and Land Resources: The Executive's budget for NYS DEC keeps the appropriation for Forest and Land Resources flat. At the same time, the DEC Division of Lands and Forests has been given increased responsibilities for visitor use management of public lands, mitigation and avoidance of climate-related damage to trails and waterways, for the legislature's goal for 30% protected lands and waters by 2030 ("30 by 30" program), for writing the 2023 version of the Statewide Open Space Conservation Plan, and for drafting unit management plans for hundreds of thousands of acres of public Intensive Use, Wild Forest and Wilderness areas.

In 1996, there were 186 staff responsible for managing a total of 3,818,983 acres of public land. Today there are 170 staff who are responsible for 4,950,000 acres of public land and conservation easements. Also, during this time, three critical new programs were added: 1) climate change; 2) invasive species; and 3) conservation easements. Simultaneously, recreational use has doubled in that time span. In order to bring staffing back to 1996 levels, *we ask the legislature to amend the Executive's budget to add at least 15 new FTE positions to the Division of Lands and Forests.*

DEC Forest Rangers: With less than half the public land acreage to protect, Yellowstone National Park employs three times the number of Forest Rangers than we do for all our public lands across the State of New York, where public lands and easements have grown by 2 million acres since 1970. With the number of field rangers stuck at 1970 levels each ranger is responsible for an additional 20,000 acres on average, on top of their areas of responsibility 50 years ago. Meanwhile, search and rescue emergencies led by the Forest Rangers on our public lands and waters have increased by 33% just over the past decade. We ask the legislature to work with the Governor *to add 40 new FTE DEC Forest Rangers to the current force.* The real need is to double the Ranger force, so 40 new rangers in the DEC General Fund operating budget would represent a very modest but vitally important beginning to bolster public lands stewardship and public safety on our public land trails and waterways.

Adirondack Park Agency: The Executive leaves APA's staffing inadequately flat at 54 FTE positions. During this time of climate change, APA staffing should be strengthened in coordination with new legislative and gubernatorial expectations of the agency, including responding to the Climate Leadership and Community Protection Act. Underfunded and uninspired, the APA has been reduced from a former guardian and proactive regional planning agency for the natural resources and state lands of the Adirondack Park to a reactive, compliant permitting agency that essentially rubber stamps what state and private applicants seek. We ask the State Legislature to undertake legislative hearings this year to investigate whether the APA is currently performing its legislated mission and mandate and, if not, how to correct the situation. We would gladly offer our input to the legislature. A much stronger, better resourced, and staffed APA is needed to allow the APA to become a proactive partner in implementation of the 2019 Climate Act and to undertake projects like the following:

- **Conservation subdivision design of all significant residential subdivisions** should be the site plan standard in the APA law and regulation, not the exception as it is today. Sprawl and forest fragmentation are the result. State legislation was introduced in the State Senate and approved in the State Assembly last year to develop more smartly in the legislatively protected Adirondack Park (A. 4074, S.1145). There is no more important pending measure to commemorate the 50th anniversary of the APA Act of 1973. For that reason and because the bill is so badly needed, it should be renumbered, reintroduced, and passed in both Senate and Assembly this year, and sent to Gov. Hochul for her signature.
- **Analyze Park trends:** Particularly during our era of climate change, with severe weather events affecting the Adirondack Park, the State must be able to establish and track critical environmental thresholds, trends, and indicators of change. The Governor and State Legislature should require and provide funds for the APA to do this in order to know what Parkwide trends are occurring, where and at what rate.
- **Measure Cumulative Impacts:** Regulations are needed to specify the standard by which APA reviews proposed development in context of fifty years of projects already permitted by the APA and by local governments.
- **Performance Standards:** APA should create performance standards for the lengthy “secondary uses” list in the APA Act to assure that each allowed use is consistent with the purposes, policies and objectives of each land use area. By doing these things, the APA’s review of projects would gain more predictable, scientifically based standards.
- **Create regulations for the SLMP** - The Adirondack Park State Land Master Plan, or SLMP should be given “teeth” by placing its definitions, procedures and guidelines for public use of the Forest Preserve into enforceable regulations. These have been needed since 1972.

Thank you very much for considering our comments and recommendations.

Respectfully submitted,



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